

## **DISCLAIMER**

*This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).*

## **APPLICATION OF**

**APPALACHIAN POWER COMPANY**

**CASE NO. PUE970766**

**For certificates of public convenience and necessity authorizing transmission lines in the Counties of Bland, Botetourt, Craig, Giles, Montgomery, Roanoke and Tazewell: Wyoming-Cloverdale 765 kV Transmission Line and Cloverdale 500 kV Bus Extension**

## **HEARING EXAMINER'S RULING**

**February 25, 2000**

On February 17, 2000, the Bland County Board of Supervisors, the Wythe County Board of Supervisors, the Alliance for the Preservation and Protection of Appalachian Land, Inc. and Citizens United to Protect Tazewell County, Inc. (collectively, "Protestants"), by counsel, filed a Motion for Extension ("Motion") requesting a two-week extension for the filing of testimony by Protestant witness David Blecker. Protestants request that the March 15, 2000, filing date for Protestants' prefiled testimony be extended to March 29, 2000. In support of their Motion, Protestants state that, in late October 1999, Protestants retained MSB Associates, Inc. ("MSB"), an engineering consulting firm specializing in electric transmission planning, to assess Appalachian Power Company's ("AEP" or "Company") application in this case. Counsel further states that MSB has experienced unexpected schedule changes in other projects to which MSB was previously committed. As a result, Protestants' witness, Mr. Blecker, must be in Colorado and Alaska from February 24 through March 16. Under these circumstances, Protestants maintain it will be very difficult, if not impossible, for Mr. Blecker to complete the preparation of his testimony by the March 15, 2000, filing date.

On February 24, 2000, counsel for AEP filed a Response to Motion for Extension ("Response"), objecting to Protestants' Motion on several grounds. Among other arguments, AEP maintains that Protestants have had more than adequate time to prepare their testimony. The Company further argues that the evidentiary hearing date in this matter was postponed from November 29, 1999, to May 1, 2000, and the current procedural schedule was established pursuant to a motion to delay made by Protestants.

I find Protestants' Motion should be granted in part and the procedural schedule established by Hearing Examiner's Ruling dated October 29, 1999, be modified. Accordingly,

### **IT IS DIRECTED:**

(1) That the date for filing Protestants' prefiled testimony and exhibits is hereby extended from March 15, 2000, to March 22, 2000;

(2) That the date for filing Staff testimony and exhibits is hereby extended from April 5, 2000, to April 12, 2000;

(3) That the date for filing Company rebuttal testimony and exhibits is hereby extended from April 19, 2000, to April 26, 2000; and

(4) That the evidentiary hearing shall commence as scheduled on May 1, 2000, at 10:00 a.m. in the Commission's Second Floor Courtroom, located in the Tyler Building, 1300 East Main Street, Richmond, Virginia.

---

Howard P. Anderson, Jr.  
Hearing Examiner